

act with a commercial fishery for which the Secretary has made a determination under section 1387(f)(1) of this title, any conservation plan prepared under this subsection for such species or stock shall incorporate the take reduction plan required under section 1387 of this title for such species or stock.

(Pub. L. 92-522, title I, §115, as added Pub. L. 100-711, §3(a), Nov. 23, 1988, 102 Stat. 4763; amended Pub. L. 103-238, §8, Apr. 30, 1994, 108 Stat. 543.)

#### AMENDMENTS

1994—Subsec. (b)(4). Pub. L. 103-238 added par. (4).

### § 1384. Authorization of appropriations

#### (a) Department of Commerce

(1) There are authorized to be appropriated to the Department of Commerce, for purposes of carrying out its functions and responsibilities under this subchapter (other than sections 1386 and 1387 of this title) and subchapter V, \$12,138,000 for fiscal year 1994, \$12,623,000 for fiscal year 1995, \$13,128,000 for fiscal year 1996, \$13,653,000 for fiscal year 1997, \$14,200,000 for fiscal year 1998, and \$14,768,000 for fiscal year 1999.

(2) There are authorized to be appropriated to the Department of Commerce, for purposes of carrying out sections 1386 and 1387 of this title, \$20,000,000 for each of the fiscal years 1994 through 1999.

#### (b) Department of the Interior

There are authorized to be appropriated to the Department of the Interior, for purposes of carrying out its functions and responsibilities under this subchapter, \$8,000,000 for fiscal year 1994, \$8,600,000 for fiscal year 1995, \$9,000,000 for fiscal year 1996, \$9,400,000 for fiscal year 1997, \$9,900,000 for fiscal year 1998, and \$10,296,000 for fiscal year 1999.

(Pub. L. 92-522, title I, §116, formerly §114, Oct. 21, 1972, 86 Stat. 1043; Pub. L. 95-136, §2, Oct. 18, 1977, 91 Stat. 1167; Pub. L. 95-316, §3, July 10, 1978, 92 Stat. 380; renumbered §116, Pub. L. 100-711, §2(a)(1), Nov. 23, 1988, 102 Stat. 4755; Pub. L. 103-238, §9(a), Apr. 30, 1994, 108 Stat. 543.)

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in Pub. L. 97-58, §7(a), (b), Oct. 9, 1981, 95 Stat. 987; Pub. L. 98-364, title I, §104(1), (2), July 17, 1984, 98 Stat. 442; Pub. L. 100-711, §6(1), (2), Nov. 23, 1988, 102 Stat. 4771, prior to repeal by Pub. L. 103-238, §9(c), Apr. 30, 1994, 108 Stat. 543.

#### AMENDMENTS

1994—Pub. L. 103-238 amended section generally. Prior to amendment, section read as follows:

“(a) There are authorized to be appropriated not to exceed \$2,000,000 for the fiscal year ending June 30, 1973, and the four next following fiscal years, not to exceed \$11,500,000 for the fiscal year ending September 30, 1978, not to exceed \$8,500,000 for the fiscal year ending September 30, 1979, not to exceed \$9,000,000 for the fiscal year ending September 30, 1980, and not to exceed \$9,500,000 for the fiscal year ending September 30, 1981, to enable the department in which the National Oceanic and Atmospheric Administration is operating to carry out such functions and responsibilities as it may have been given under this subchapter (other than sections 1379 and 1380 of this title).

“(b) There are authorized to be appropriated not to exceed \$700,000 for the fiscal year ending June 30, 1973,

not to exceed \$525,000 for each of the next four fiscal years thereafter, not to exceed \$850,000 for the fiscal year ending September 30, 1978, not to exceed \$650,000 for the fiscal year ending September 30, 1979, not to exceed \$760,000 for the fiscal year ending September 30, 1980, and not to exceed \$876,000 for the fiscal year ending September 30, 1981 to enable the Department of the Interior to carry out such functions and responsibilities as it may have been given under this subchapter (other than sections 1379 and 1380 of this title).”

1978—Subsec. (a). Pub. L. 95-316, §3(1), added reference to sections 1379 and 1380 of this title and provisions authorizing appropriations for the fiscal years ending Sept. 30, 1979, Sept. 30, 1980, and Sept. 30, 1981.

Subsec. (b). Pub. L. 95-316, §3(2), added reference to sections 1379 and 1380 of this title and provisions authorizing appropriations for the fiscal years Sept. 30, 1979, Sept. 30, 1980, and Sept. 30, 1981.

1977—Subsec. (a). Pub. L. 95-136, §2(1), inserted “, and not to exceed \$11,500,000 for the fiscal year ending September 30, 1978,” after “fiscal years”.

Subsec. (b). Pub. L. 95-136, §2(2), inserted “, and not to exceed \$850,000 for the fiscal year ending September 30, 1978” after “thereafter”.

#### EFFECTIVE DATE

Section effective upon the expiration of the sixty-day period following Oct. 21, 1972, see section 4 of Pub. L. 92-522, set out as a note under section 1361 of this title.

### § 1385. Dolphin protection

#### (a) Short title

This section may be cited as the “Dolphin Protection Consumer Information Act”.

#### (b) Findings

The Congress finds that—

(1) dolphins and other marine mammals are frequently killed in the course of tuna fishing operations in the eastern tropical Pacific Ocean and high seas driftnet fishing in other parts of the world;

(2) it is the policy of the United States to support a worldwide ban on high seas driftnet fishing, in part because of the harmful effects that such driftnets have on marine mammals, including dolphins; and

(3) consumers would like to know if the tuna they purchase is falsely labeled as to the effect of the harvesting of the tuna on dolphins.

#### (c) Definitions

For purposes of this section—

(1) the terms “driftnet” and “driftnet fishing” have the meanings given those terms in section 4003 of the Driftnet Impact Monitoring, Assessment, and Control Act of 1987 (16 U.S.C. 1822 note);

(2) the term “eastern tropical Pacific Ocean” means the area of the Pacific Ocean bounded by 40 degrees north latitude, 40 degrees south latitude, 160 degrees west longitude, and the western coastlines of North, Central, and South America;

(3) the term “label” means a display of written, printed, or graphic matter on or affixed to the immediate container of any article;

(4) the term “Secretary” means the Secretary of Commerce; and

(5) the term “tuna product” means a food item which contains tuna and which has been processed for retail sale, except perishable sandwiches, salads, or other products with a shelf life of less than 3 days.